

MEDICINE BOARD[653]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 147.76, the Board of Medicine hereby proposes to amend Chapter 13, “Standards of Practice and Principles of Medical Ethics,” Iowa Administrative Code.

The purpose of Chapter 13 is to establish standards of medical practice for medical physicians and surgeons and osteopathic physicians and surgeons. The proposed rule implements 2015 Iowa Acts, Senate File 462, which allows physicians to write prescriptions for authorized facilities, including public schools, to stock an epinephrine auto-injector supply for administration by trained non-health care personnel to individuals at risk of anaphylaxis.

The Board approved this Notice of Intended Action during a regularly scheduled meeting on October 16, 2015.

Any interested person may present written comments on the proposed rule not later than 4:30 p.m. on December 15, 2015. Such written materials should be sent to Mark Bowden, Executive Director, Board of Medicine, 400 S.W. Eighth Street, Suite C, Des Moines, Iowa 50309-4686; or sent by e-mail to mark.bowden@iowa.gov.

There will be a public hearing on December 15, 2015, at 11 a.m. at the Board’s office, 400 S.W. Eighth Street, Suite C, Des Moines, Iowa, at which time persons may present their views either orally or in writing.

After analysis and review of this rule making, no impact on jobs in Iowa has been found.

This rule is intended to implement Iowa Code chapters 135, 147, 148, 272C and 280.

The following amendment is proposed.

Adopt the following new rule 653—13.12(135,147,148,272C,280):

653—13.12(135,147,148,272C,280) Standards of practice—prescribing epinephrine auto-injectors in the name of an authorized facility.

13.12(1) Definitions. For purposes of this rule:

“*Authorized facility*” means any nonpublic school which is accredited pursuant to Iowa Code section 256.11, any school directly supported in whole or in part by taxation, a food establishment as defined in Iowa Code section 137F.1, a carnival as defined in Iowa Code section 88A.1, a recreational camp, a youth sports facility, or a sports area.

“*Epinephrine auto-injector*” means a device for immediate self-administration or administration by another trained person of a measured dose of epinephrine to a person at risk of anaphylaxis.

“*Physician*” means a person licensed pursuant to Iowa Code chapter 148 to practice medicine and surgery or osteopathic medicine and surgery.

13.12(2) Notwithstanding any other provision of law to the contrary, a physician may prescribe epinephrine auto-injectors in the name of an authorized facility to be maintained for use pursuant to 2015 Iowa Acts, Senate File 462, section 1 [Iowa Code section 135.185]; Iowa Code section 280.16 as amended by 2015 Iowa Acts, Senate File 462, section 2; and 2015 Iowa Acts, Senate File 462, section 3 [Iowa Code section 280.16A].

13.12(3) A physician who prescribes epinephrine auto-injectors in the name of an authorized facility to be maintained for use pursuant to 2015 Iowa Acts, Senate File 462, section 1 [Iowa Code section 135.185], Iowa Code section 280.16 as amended by 2015 Iowa Acts, Senate File 462, section 2, and 2015 Iowa Acts, Senate File 462, section 3 [Iowa Code section 280.16A], provided the physician has acted

reasonably and in good faith, shall not be liable for any injury arising from the provision, administration, or assistance in the administration of an epinephrine auto-injector.